

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

United States of America

v.

Jose Maldonado.

)
)
)
)
)
)
)
)
)
)

CR. No. 09-71S

ORDER

WILLIAM E. SMITH, United States District Judge.

Defendant has moved for a new trial pursuant to Fed. R. Crim. P. 33; for the disclosure of court personnel who attended Defendant's trial on February 24-26, 2011; and, pursuant to Fed. R. Crim. P. 15, for leave to depose all witnesses revealed by his motion for disclosure.

Fed. R. Crim. P. 47(b) requires that a motion "state the grounds on which it is based and the relief or order sought." Moreover, the local rules of this district provide that,

"[e]very motion shall bear a title identifying the party filing it and stating the precise nature of the motion. In addition, every motion . . . shall contain a short and plain description of the requested relief and shall be accompanied by a separate memorandum of law setting forth the reasons why the relief requested should be granted and any applicable points and authorities supporting the motion.

DRI LR Cr 47(a).

Defendant's motion lists four grounds as the basis for a new trial, but it does not set forth the relevant factual discussion and legal authority needed to support his request. As such, Defendant's motion does not provide the specificity needed to allow the Government to respond meaningfully or to allow the Court to fairly assess its merits. Accordingly, Defendant's motion for a new trial is denied without prejudice.

Similarly, Defendant's motion for disclosure requesting "the names of the personnel who attended the trial of the defendant, Jose Maldonado, on February 24-26, 2011" and his motion to depose those personnel fail to state upon what grounds Defendant is entitled to such relief. As such, this motion is denied with prejudice.

IT IS SO ORDERED:

William E. Smith

William E. Smith
United States District Judge
Date: August 10, 2011